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12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**  
14 **WESTERN DIVISION**

15 KYLE SAWYER, Individually and  
16 on behalf of all others similarly  
17 situated,

18 Plaintiff,

19 v.

20 BILL ME LATER, INC., EBAY  
21 INC., PAYPAL, INC., and  
22 DOES 1-100,

23 Defendants.

Case No. CV-10-4461 SJO (JCGx)

**DEFENDANTS' JOINDER TO  
DEFENDANT WEBBANK'S  
MOTION TO DISMISS FOR  
FAILURE TO STATE A CLAIM  
UNDER RULE 12(b)(6)**

Hearing Date: October 24, 2011  
Time: 10:00 a.m.  
Dept.: Courtroom 1  
Judge: Hon. S. James Otero

Date Filed: May 21, 2010

1 Defendants agree that plaintiff Kyle Sawyer has not stated a valid claim in  
2 this action and therefore join in WebBank's request to dismiss the action, *see*  
3 Docket No. 141.

4  
5 Dated: October 4, 2011

O'MELVENY & MYERS LLP

6 By: /s/Thomas P. Brown  
7 Thomas P. Brown  
8 Attorneys for Defendants  
9 Bill Me Later, Inc.; eBay, Inc.; PayPal  
10 Inc.

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